

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DAVID HUDSON,
Plaintiff,

v.

NATIONAL OILWELL VARCO, L.P.,
Defendant.

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CIVIL ACTION H-13-3096

ORDER

Pending before the court is defendant's second motion for sanctions. Dkt. 35. After considering the motion and the court's previous ruling, the court finds that the motion should be GRANTED.

On December 2, 2014, after several months of discovery disputes between the parties, the court ordered plaintiff to respond to certain of defendant's discovery requests prior to December 15, 2014. Dkt. 31. The court was very clear that if plaintiff failed to respond prior to the deadline, he would face sanctions from the court pursuant to Rule 37. *Id.*; *see also* FED. R. CIV. P. 37(b)(2)(A). On December 23, 2014, defendant informed the court in its second motion for sanctions that plaintiff had not responded to the discovery requests as required by the court's order. Dkt. 35. Plaintiff has not responded to defendant's motion and has not informed the court of his compliance or inability to comply with the court's December 2, 2014 order. Plaintiff has been given several chances to comply with discovery rules, and he persists in his noncompliance.

Accordingly, defendant's second motion for sanctions is GRANTED. Plaintiff's claims in this action are DISMISSED WITH PREJUDICE.

Defendant is ORDERED to submit an accounting of reasonable fees and expenses incurred as a result of plaintiff's discovery violations within ten days of this order.

Signed at Houston, Texas on February 3, 2015.



Gray H. Miller
United States District Judge